

Squire, Sanders & Dempsey L.L.P.
Ethan A. Miller (State Bar # 155965)
Daniel T. Balmat (State Bar # 230504)
One Maritime Plaza, Suite 300
San Francisco, CA 94111-3492
Telephone: +1.415.954.0200
Facsimile: +1.415.393.9887
Email: dbalmat@ssd.com

Attorneys for Plaintiffs
THE FOCAL POINT, LLC, ANDREW SPINGLER;
LINDA SPINGLER; G. CHRISTOPHER RITTER;
and SCOTT HILTON

Ross, Dixon & Bell LLP
Monique M. Fuentes (State Bar # 205501)
5 Park Plaza, Suite 1200
Irvine, California 92614-8592
Telephone: +1.949.622.2716
Facsimile: +1.949.622.2739
Email: mfuentes@rdblawn.com

Attorneys for Defendant
CONTINENTAL CASUALTY COMPANY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THE FOCAL POINT, LLC, a California limited
liability company; ANDREW SPINGLER;
LINDA SPINGLER; G. CHRISTOPHER
RITTER; and SCOTT HILTON,

Plaintiffs,

vs.

CNA INSURANCE COMPANY, INC.;
CONTINENTAL CASUALTY COMPANY,

Defendants.

Case No. C-07-05764 MHP

**STIPULATION AND [PROPOSED]
ORDER OF DISMISSAL**

[Fed. R. Civ. P. 41(a)]

The Honorable Marilyn Hall Patel

STIPULATION

Plaintiffs The Focal Point, LLC, Andrew Spingler, Linda Spingler, G. Christopher Ritter, and Scott Hilton (collectively, "The Focal Point") and defendant Continental Casualty Company ("Continental") stipulate by and between their respective counsel of record as follows:

1. Pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, The Focal Point and Continental stipulate that this entire action shall be dismissed with prejudice. Each party to this Dismissal shall bear its own costs and attorneys' fees.

2. The Court shall retain jurisdiction to enforce the terms of this dismissal.

Dated: July 9, 2008

Respectfully submitted,

Squire, Sanders & Dempsey L.L.P.

By: _____/s/
Daniel T. Balmat

Attorneys for Plaintiffs

THE FOCAL POINT, LLC, ANDREW
SPINGLER; LINDA SPINGLER; G.
CHRISTOPHER RITTER; and SCOTT
HILTON

Dated: July 9, 2008

Respectfully submitted,

Ross, Dixon & Bell, LLP

By: _____/s/
Monique M. Fuentes

Attorneys for Defendant
CONTINENTAL CASUALTY COMPANY

[PROPOSED] ORDER

Pursuant to stipulation and Federal Rule of Civil Procedure 41(a), this entire action is hereby DISMISSED WITH PREJUDICE. The parties shall each bear their own costs and attorneys' fees. The Court further retains jurisdiction to enforce this dismissal.

IT IS SO ORDERED.

Dated: July ___, 2008

UNITED STATES DISTRICT JUDGE